

UNITED STATES PATENT AND TRADEMARK OFFICE

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Re: Application of: Mikko HEINONEN, et al.
Serial No.: 09/889,438
Filed: July 12, 2001
For: METHOD FOR CHANGING LINEAR LOAD ON
A REEL-UP

RENEWED PETITION UNDER 37 C.F.R. 1.81

Commissioner for Patents
Box PCT
Washington, DC 20231-0001

March 12, 2003

Attn: Bryan Tung, PCT Legal Examiner
PCT Legal Office

Dear Sir:

Applicant hereby requests reconsideration on the merits of the Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a) previously submitted and in support thereof shows the following:

1. A Notice of Abandonment dated May 31, 2002 was received by Applicant's attorney on June 3, 2001. A copy of the Notice of Abandonment is enclosed herewith. According to the Notice of Abandonment, a Notice to File Missing Parts of Nonprovisional Application was mailed on August 22, 2001. However, Applicant's attorney hereby advises that no such Notice was ever received.

I hereby certify that this correspondence and/or fee is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, Washington, DC 20231-0001" on March 12, 2003.

STEINBERG & RASKIN, P.C.

By: 

2. Applicant's attorney submitted both a Response to Notice to File Missing Parts, including the executed Declaration and Power of attorney form, and a Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a) on November 25, 2002, together with the applicable fee for the Petition, in order to reinstate the application. A copy of the Response to Notice to File Missing Parts and the Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a) is submitted herewith.

3. Applicant received a response to Applicant's Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a) on February 3, 2003, dismissing the petition without prejudice, a copy of which is enclosed herewith.

4. Applicant's Attorney hereby advises as follows:

- a. Applicant's Attorney did not receive the Notice to File Missing Parts of Nonprovisional Application apparently mailed on August 22, 2001;
- b. Applicant's Attorney has conducted a search of the file jacket and docket records of Attorney Docket No. 989.1033 (U.S. Patent Application No. 09/889,438) that indicated that the Notice to File Missing Parts of Nonprovisional Application was not received by Applicant's Attorney;
- c. Applicant's Attorney attaches hereto a copy of the docket record where the nonreceived Notice to File Missing Parts of Nonprovisional Application would have been entered had it been received, namely October 22, 2001 (i.e. the date upon which a response to the Notice to File Missing Parts of Nonprovisional Application would have been due).

Attorney Docket No.: 989.1033

5. Applicant's Attorney hereby acknowledges that the previously filed Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a) is being treated as a Petition to Withdraw the Holding of Abandonment under 37 C.F.R. 1.181 based on failure to receive an office action.

Applicant's Attorney hereby asserts that this response is timely and that no petition fee is required. In the event any fee is required for this response, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 500518. A duplicate copy of this letter is enclosed.

Respectfully submitted,

By:



Paul J. Higgins
Reg. No. 44,152

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